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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
EUREKA DIVISION

9 GINN DOOSE, No. 1:11-CV-01882 NJV
10 Plaintiff, ORDER REQUIRING FURTHER
11 v. BRIEFING RE COURT'S JURISDICTION
12 WAL-MART STORES, INC., (Doc. No. 20)
13 Defendant.

14 /
15 In preparation for the upcoming hearing on Wal-Mart Stores, Inc.'s motion to dismiss, the
16 Court ORDERS the parties to file a supplemental brief addressing whether the Court has jurisdiction
17 in this action. Specifically, the Court notes that Plaintiff removed her own action from state court to
18 this Court. *See* Doc. No. 1. Only defendants, however, may remove a case to federal court. *See* 28
19 U.S.C. §§ 1441(a), 1446(a); *see also In re Walker*, 375 F.2d 678 (9th Cir. 1967) ("No right exists in
20 favor of a person who, as plaintiff, has filed an action in state court, to cause the removal of such
21 action to federal court"); *Okot v. Callahan*, 788 F.2d 631, 633 (9th Cir. 1986) ("Removal is available
22 only to defendants"); *Desouza v. Albin*, 1993 U.S. Dist. LEXIS 15267 (N.D. Cal. Oct. 12, 1993)
23 (dismissing removal notice and remanding to state court because plaintiff failed to meet statutory
24 requirements for removal as he was not a defendant in state action). The supplemental briefs shall be
25 no longer than 3 pages and shall be filed on or before January 18, 2012.

26 IT IS SO ORDERED.

27 Dated: January 11, 2012

28 
NANDOR J. VADAS
United States Magistrate Judge

United States District Court
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
EUREKA DIVISION

GINN DOOSE,

No. 1:11-CV-1882 NJV

Plaintiff,

CERTIFICATE OF SERVICE

v.

WAL-MART STORES, INC.,

Defendant.

/

I, the undersigned, hereby certify that on January 11, 2012, I served a true and correct copy of the attached by placing said copy in a postage paid envelope addressed to the person(s) listed below, by depositing said envelope in the U.S. Mail.

Ginn Doose
P.O. Box 2310
Clearlake, CA 95422

Dated: January 11, 2012

/s/ *France Jaffe*
France Jaffe
Law Clerk to the
Honorable Nandor J. Vadas